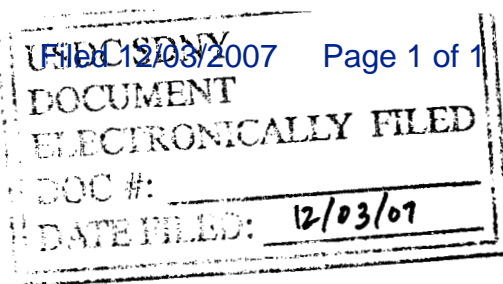


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
BEANE

Plaintiff(s),

Case Management Plan

- v -

07 CV. 9444 (RMB)

BANK OF N.Y. MELLON CORP.

Defendant(s).
-----X

The following Case Management Plan is entered after consultation with the parties. This Plan is also a Rule 16 and Rule 26(f) scheduling order as required by the Federal Rules of Civil Procedure.

- (i) Joinder of additional parties by December 15, 2007
- (ii) Amend the pleadings by December 15, 2007
- (iii) All discovery to be expeditiously completed by ~~December 31, 2008~~ APRIL 30, 2008

- (iv) Consent to Proceed before Magistrate Judge No.

- (v) Status of settlement discussions The parties are agreeable to begin settlement discussions at the appropriate time; all parties believe that to do so now would be premature.

Sections vi through xi will be set at conference with the Court.

- (vi) Motions _____
- (vii) Oral Argument _____
- (viii) Joint Pre-Trial Order to be submitted by _____
- (ix) Final Pre-Trial Conference _____
- (x) Trial _____
- (xi) Other SETTLEMENT CONFERENCE WITH PRINCIPALS ON MAY 1, 2008

5/1/07
@ 9:30
with principals

AT 9:30 A.M.

SO ORDERED: New York, New York

12/3/07

RMB

Hon. Richard M. Berman, U.S.D.J.